

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**JOHN BRILEY**

**PETITIONER**

**VS.**

**CASE NO. 5:04CV00446 HDY**

**LARRY NORRIS, Director of the  
Arkansas Department of Correction**

**RESPONDENT**

**ORDER**

Petitioner seeks a certificate of appealability in this habeas corpus action. Pursuant to 28 U.S.C. 2253(c)(2), such a certificate may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." We have reviewed the allegations contained in the petitioner's request for certificate of appealability and find the petitioner has not made the requisite showing. Accordingly, the motion for certificate of appealability is denied.

IT IS SO ORDERED this 8 day of August, 2005.



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UNITED STATES MAGISTRATE JUDGE